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17. [] GLC) Met with Clark McFadden, General Counsel, Senate Armed Services Committee, who said he and Ed Braswell, Chief Counsel, would like to have access to the NSSM or NSDM which the Director read from in his recent testimony before the CIA Subcommittee. I told McFadden I would check on this.

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18. [] - GLC) Received a call from Senator Stuart Symington who provided me with some information on the Senate Foreign Relations Committee's Subcommittee report and related matters. See Memo for Record.

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19. [] - PLC) Met with Jim Kronfeld, Staff Counsel, Subcommittee on Foreign Operations and Government Information, House Government Operations Committee, and discussed the final draft of the conference report for H. R. 12471, Freedom of Information Act amendment. Kronfeld said that the conferees could not include the detailed court review procedures for in camera inspection of classified information within the bill as it was in the version reported by the Senate Judiciary Committee. The rules of the Congress prevented this since the procedures were not in the versions of the bill as passed by both houses. The conferees did, however, include legislative history to emphasize that the courts should give proper recognition to affidavits submitted by agency heads. Also included is the legislative history which we had proposed covering Intelligence Sources and Methods, Restricted Data, and Comint, which states that this information is protected by statute and comes under exemption (b)(3) of the Freedom of Information Act, and as such is "born classified." Kronfeld also gave me a copy of H. R. 16373, the right of privacy bill, as amended and reported out by his Subcommittee yesterday. Kronfeld felt that the Agency was given an adequate exemption from any provisions which would present problems. I asked that we be given an opportunity to review the amended bill since we do have problems with it as introduced. He urged that we move as quickly as possible since the bill is being considered by the full Committee this Thursday, 19 September.

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20. [] - PLC) Delivered to Bill Hogan, Counsel, House Armed Services Committee, the transcript from the bi-weekly briefing of the Special Subcommittee on Intelligence on 16 September 1974.

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21. [] - PLC) Met with Al Tarabochia, Chief Investigator, Internal Security Subcommittee, Senate Judiciary Committee, and discussed his planned staff study on the Venceremos Brigade based on his interviews with Cuban Gerardo Peraza and information in his own files. He again requested that someone from the Agency familiar with Cuban matters meet with him and discuss in general terms the outline of the study. He emphasized, as he had in previous conversations with me, that he wants to give the Agency full opportunity to include any other information we wish in the study. I told him that I had referred his request to our people and would let him know shortly. (I had called [] DDO, to handle this.) He is aware of the strong interest by [] prompted by the Agee case. [] had called me Friday, 13 September, to let me know that he felt it important that either he or [] brief Jay Sourwine, Chief Counsel of the Subcommittee, at the earliest opportunity on the KGB-Cuban intelligence relationship prompted by the Agee case.

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22. [] - DFM) Received a call from Mrs. Eddymarie McCoy in Senator Joseph R. Biden, Jr.'s office (D., Del.). She is checking on a constituent, [] who has been missing in Europe since July 27th. Mrs. McCoy had tried unsuccessfully to get information through State, and asked if we could be of assistance in locating [] I emphasized that we did not keep track of American citizens, but said I would check and see if we had any information about her.

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23. [] - RJK) Spoke to staff members in the offices of Senator Gaylord Nelson (D., Wisc.) and Representative William L. Hungate (D., Mo.), and told them that while Mr. Colby has not issued a public statement on the Chile matter the President himself commented on it at his press conference thus giving the Administration's position on the matter.

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GEORGE L. CARY
Legislative Counsel

cc:

O/DDCI

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Mr. Thuermer Mr. Warner Mr. Lehman Mr. Clarke
EA/DDO DDI DDS&T DDA Comptroller

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SECRET

Freedom of Information

H. R. 12471

Conference report is being finalized. The bill is unchanged. Courts will conduct an in camera review of any exempted information.

They did include legislative history that the courts will be expected to recognize the expertise of departments and to give proper weight to an affidavit. They also added our language of RD, Sources and Methods and and Comint being "born classified" and under the exemption of material protected by statute [exemption (b)(3)].

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